

YSGOL CAERGEILIOG FOUNDATION SCHOOL



THE SCHOOL'S DBS POLICY

INTRODUCTION:

Caergeiliog Foundation School has fully adopted the recommendations and guidelines given by the Welsh Government and has therefore based this document on its recommendations.

PLEASE NOTE:

- **The School requests Enhanced Disclosures for everyone.**
- **This Policy should be read in conjunction with the School's Recruitment Policy and The School's Recruitment Minimum Standards Procedures.**

POLICY STATEMENT:

1. The safety of children and young people is paramount and this School is fully committed to safeguarding and promoting the welfare of children and young people and to the rigorous implementation of DBS procedures and arrangements.
2. All staff employed at the School since 1 March 2002 are subject to vetting under these procedures.
3. What is DBS Disclosure? It is necessary for our School to be aware of all spent and unspent criminal records for staff appointed or about to be appointed to all posts. Requests for information about criminal convictions can only be made through the DBS, and are made on behalf of the School by the School's Administration Manager. There are two levels of Disclosure: standard and enhanced. The entire School's workforce requires an Enhanced Disclosure, including support staff.

4. Standard Disclosure: Definition of a Standard Disclosure may be found on the DBS website www.gov.uk.
5. Enhanced Disclosure. This level is required for those positions which involve a far greater degree of contact with children or vulnerable adults. Enhanced Disclosures contain the same information as Standard but with the addition of local police force information considered relevant by Chief Police Officer(s). The Enhanced check will show any convictions, cautions or bind-overs, including those that would be regarded as “spent” under the Rehabilitation of Offenders Act 1974, as well as details of whether they are included on List 99 and/or the Protection of Children Act (PoCA) List maintained by the Department of Health.
6. “Non-conviction” Information

Where an Enhanced Disclosure has been sought, the DBS may provide additional “non- conviction” information, which is held on local police records that does not form part of an individual’s criminal record.

Non-conviction information may be included on both the School’s and the applicant’s copy of the Disclosure. However, particularly sensitive information, such as details of a Police investigation, will not form part of the Disclosure documents and will be sent to the registered body only.

7. To whom does Enhanced Disclosure apply?

All newly appointed staff and volunteers recruited will automatically complete an Enhanced Disclosure prior to taking up post. Enhanced Disclosure certificates from other authorities will not be accepted unless the holder has paid for the ‘Update Service’. This includes consultants who will be working in the School on a fixed-term contract.

Only when an Enhanced Disclosure has been completed that contains no information that may preclude the individual from working with children, can it be considered that they have ‘DBS clearance’.

Where it is not possible to obtain clearance before appointment, the Headteacher can decide that the employee can start work but will make sure that a risk assessment form is completed and they are appropriately supervised. As a minimum, the employee must be checked against List 99 before they begin work.

NOTE: The Draft Welsh Government circular no: 007/2013 stipulates:

5.67 In addition, situations will arise unexpectedly, where non-teaching staff are required to cover for permanent staff in the case of an emergency. It may be necessary that, in these circumstances, temporary arrangements have to be quickly put in place for such staff before a vetting check can be carried out.

5.68 In situations where it is not possible to obtain a vetting check in advance, head teachers must carry out a risk assessment and in such circumstances all necessary steps should be taken to ensure the safeguarding of children and young people.

8. Enhanced Disclosure should be applied to the following:

- Teachers, including the Headteacher.
- Any unqualified teachers or instructors working at the School.
- Student placements (not work experience students) or graduate trainees placed at the School.
- Any Governor who works at the school.
- Link Governors e.g. SEN and Child Protection Governors.
- Governor Helpers.
- Teaching Assistants, Classroom Assistants, Special Needs Assistant and other support staff e.g. Librarian/Library Assistants.
- Nursery Nurse. Midday Supervisors. Catering Staff.

Pupil Escort/Driver. Family Worker. Admin and Clerical Staff, First Aiders. Premises staff, Technicians. Cleaners. Examination Invigilators.

- Parent Helpers - depending on the level of contact or the possibility that they may be alone with or have some responsibility for pupils e.g. school trips (see Volunteers, on page 8).

This list is not exhaustive. It is the responsibility of Headteacher to ensure that anyone who enters the School has DBS clearance, where appropriate.

PLEASE NOTE: DISCLOSURES ARE RETURNED DIRECTLY TO THE INDIVIDUAL FOR WHOM A CHECK HAS BEEN REQUESTED AND NOT THE SCHOOL. ALL INDIVIDUALS ARE THEREFORE INFORMED AND MADE AWARE THAT IT IS THEIR RESPONSIBILITY TO SUBMIT THE DISCLOSURE TO THE SCHOOL WHEN RECEIVED AND THAT THEY MAY NOT ATTEND THE SCHOOL UNTIL THEY HAVE DONE SO.

The School receives an electronic version of the certificate stating whether the DBS 'contains no information' or whether we need to contact the holder to discuss contents.

9. Clarification on Enhanced Disclosure for Particular Staff Groups.

a. After School Clubs/Extended School:

Enhanced Disclosure will apply to any employees or volunteers involved in after school activities if there is contact with children or vulnerable adults. Responsibility for obtaining Disclosure will fall to the Governing Body.

b. Agency staff

The Headteacher must be satisfied that agency workers have an Enhanced Disclosure and current, satisfactory references, by checking with the agency responsible for their employment.

The agency **and** staff member will be asked to produce his or her copy of the Enhanced Disclosure obtained by the agency and the School will then verify the validity of the document by checking with the agency. Written confirmation of the Enhanced Disclosure should be requested from the agency, confirming that there is no additional information other than that shown on the candidate's copy. The individual should complete the consent form attached to agree to the release of the information.

A separate Enhanced Disclosure will need to be obtained if the agency advises that the police Disclosed additional information that was not included on the teacher's copy.

Once written confirmation of an agency worker's Enhanced Disclosure has been received, it will still be necessary to repeat this process every time that particular individual returns to work at the School.

Agencies supplying overseas teachers should give the school full details on clearance checks obtained.

c. Peripatetic Staff

All staff employed that are involved in supporting the School and pupils' learning or welfare must have an Enhanced Disclosure.

d. Volunteers

Volunteers who work at the School on a regular basis will need to be DBS checked. Any volunteer who will have unsupervised access to children will require an Enhanced Disclosure.

Some volunteers/parents who are volunteering for one-off trips (not involving an overnight stay) or who only help at specific events e.g. sports day/school fete etc may not need to be checked if they will not be left unsupervised in charge of children at any time.

The Headteacher will make a risk assessment and apply professional judgement in deciding whether an Enhanced Disclosure is needed, taking into account the following:

- The duration, frequency and nature of contact with children.
- What the School knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers.
- Whether the volunteer is well known to others in the School

community who are likely to be aware of behaviour that could give cause for concern.

- Whether the volunteer has other employment, or undertakes voluntary activities where referees would advise on suitability.
- Any other relevant information about the volunteer or the work they are likely to do.

e. Governors;

It is not a statutory requirement for governors to be DBS checked, however it is the School's policy and good practice for all governors to have an Enhanced Disclosure.

f. Building contractors/tradespersons

A tradesperson attending the School on a one-off basis, for example, an electrician making repairs, does not need to be DBS checked as it is expected that they would not be allowed to walk around the school unaccompanied.

Building contractors may not need to be checked where the site area of works is clearly defined and segregated from general access, for health and safety reasons. Contractors visiting schools to carry out repairs, servicing or other short term work should be escorted to their working areas and appropriately monitored during their presence on site. They should be instructed not to encourage or enter into communication with pupils or students.

Generally it will not be necessary, providing the above procedures are followed, to obtain Disclosure information from the DBS for operatives working on site

There may be situations that fall outside the scope of the above and in these circumstances a risk assessment should be carried out to determine what measures may be appropriate. It may therefore be appropriate in certain circumstances to obtain Disclosure information for operatives. The Headteacher will make a risk assessment and apply professional judgement in deciding whether an Enhanced Disclosure is needed.

g. Visitors

People who visit the school on a regular basis will need to be DBS checked. Any visitor who will have unsupervised access to children will require an Enhanced Disclosure. Occasional visitors who have direct access to children e.g. school photographer and Father Christmas must have an Enhanced Disclosure.

Some visitors may not need to apply for an Enhanced Disclosure. These include:

- Visitors who have business with the Headteacher or other staff or who have brief contact with a teacher present.

- Visitors who come on site only to carry out repairs or service equipment.

Older pupils visiting the School may also not require an Enhanced Disclosure, for example:

- Secondary pupils on KS4 work experience in other schools or nursery classes.
- Secondary pupils undertaking work in another school as part of voluntary service, citizenship or vocational studies.
- KS5 or 6th Form pupils in connection with a short careers or subject placement.

In all such cases the pupils must work under close supervision and the School placing the pupil should ensure the pupil is suitable for the placement in question.

h. PTA members

PTA members who, for example, are staffing stalls at the summer fete, would not need to be checked, unless they are to have regular contact with children in another capacity.

10. Applicants from abroad:

Overseas teachers and non-teaching members of staff need to be treated as any new employee. Both a List 99 check and a DBS Enhanced Disclosure must be completed prior to appointment. The Criminal Records Bureau cannot establish details of criminal convictions acquired outside of the UK. Practices in other countries vary considerably but certificates or letters of good conduct may be obtainable from some overseas applicants from their embassy and be accepted pending DBS clearance, particularly if they have not resided in the UK at all. The level of information varies from country to country; some are complete extracts from the criminal record, and others are partial. Where an applicant is from a country where criminal record checks cannot be made, extra care must be taken in taking up references and conducting other background checks including asking probing questions at interview.

11. Who pays for DBS checks?

The cost of DBS checks falls to the School. There is a small charge for Governors and volunteer helpers who are required to undergo a check. However where an Enhanced Disclosure is required for Governors who are employees, then the School will carry the cost.

12. What is a List 99 check?

List 99 is a list of people who have been deemed unsuitable to work with children or vulnerable adults by the Secretary of State. List 99 is automatically checked as part of the DBS Disclosure process. However, when a Disclosure remains outstanding when an individual begins work, a List 99 check must be completed as part of the Risk Assessment Process.

13. Record keeping

The School operates an administrative system to record pre-employment checks including DBS checks. DBS clearance letters are kept in a central file separate from personnel files.

All staff records are securely stored under lock and key. There is a consistent approach to recording evidence of receipt of satisfactory DBS Enhanced Disclosure.

DBS Applications are completed online with the School's Administration Manager checking identity.

This Policy was prepared : Summer 2009

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This Policy was last reviewed :Summer 2021

This Policy will be reviewed : Summer 2022.